

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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ROBERT LEACH and KEESHA LEACH,

Plaintiffs,

-against-

MEMORANDUM AND ORDER

RAFAIL KAYKOV, M&M ROYALE LIMOUSINE,
INC., J. FLETCHER CREAMER & SON, INC.,
and ROYAL DISPATCH SERVICE, INC.,

07-CV-4060 (KAM)(VVP)

X

Defendants.

MATSUMOTO, United States District Judge:

Presently before the court is a Report and Recommendation issued by Magistrate Judge Viktor V. Pohorelsky on April 2, 2010, recommending that the court apply the law of New Jersey with respect to loss allocation in this case. (Doc. No. 65, Report and Recommendation.) Notice of the Report and Recommendation was sent electronically to all parties via the court's electronic filing system on April 2, 2010. As explicitly noted at the end of the Report and Recommendation and on the docket sheet, the parties had a right to file written objections to the Report and Recommendation by April 16, 2010. (Doc. No. 65.) The statutory period for filing objections for all parties has lapsed, and no objections to Magistrate Judge Pohorelsky's Report and Recommendation have been filed.

In reviewing a Report and Recommendation, the district court "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1)(C). Where no objection to the Report and

Recommendation has been filed, the district court "need only satisfy itself that that there is no clear error on the face of the record." *Urena v. New York*, 160 F. Supp. 2d 606, 609-10 (S.D.N.Y. 2001) (quoting *Nelson v. Smith*, 618 F. Supp. 1186, 1189 (S.D.N.Y. 1985)).

Upon a careful review of the well-researched and analyzed Report and Recommendation, and considering that the parties have failed to object to any of Magistrate Judge Pohorelsky's soundly-reasoned recommendations, the court finds no clear error in Magistrate Judge Pohorelsky's Report and Recommendation and hereby affirms and adopts the Report and Recommendation as the opinion of the court.

SO ORDERED.

Dated: May 4, 2010
Brooklyn, New York

_____/s/
Kiyo A. Matsumoto
United States District Judge